

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

GARY JORDAN,

Petitioner,

v.

3:05-mc-25

HOWARD CARLTON, Warden,

Respondent.

MEMORANDUM AND ORDER

This is a petition for the writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petitioner has not paid the required \$5.00 filing fee nor has he submitted an application to proceed *in forma pauperis*.¹ The Clerk is **DIRECTED** to send petitioner an application to proceed *in forma pauperis*. The Clerk is further **DIRECTED** to hold the petition for thirty (30) days pending receipt of the \$5.00 filing fee or an application to proceed *in forma pauperis*. Petitioner is advised that failure to pay the filing fee, or submit a completed

¹The court notes that petitioner submitted a copy of his inmate trust fund account, as well as a certificate from the trust fund custodian that petitioner has the sum of \$2.63 in his account. Petitioner must himself, however, complete the pauper's affidavit. 28 U.S.C. §1915; Rule 3 of the RULES GOVERNING SECTION 2254 CASES IN THE UNITED STATES DISTRICT COURTS.

application to proceed *in forma pauperis*, within the time allowed will result in the automatic dismissal of this action without further notice by the Clerk of Court.

E N T E R:

s/ Leon Jordan
United States District Judge